

1.97(e) been submitted with the Amendment.

The Examiner is reminded that the references submitted in support of applicants' arguments for specific and substantial utility of their invention and in support of Dr. Batshaw's expert opinion contention that animal models are in widespread use throughout the world in developing suitable therapies in gene-linked renal and other diseases (see the 08/19/2003 Amendment) were state-of-the-art references and, therefore, did not require an IDS under 37 CFR 1.97. This was so because these references are not prior art, and simply establish the need for, and utility of, the present invention.

However, the undersigned did, for reasons of convenience and orderliness, list these state-of-the art references on PTO Form 1449. This was an error on the part of the undersigned attorney. Accordingly, applicants request that the IDS designation for these references be withdrawn, as suggested by the Primary Examiner in a telephone interview.

All of the state-of-the art references listed, discussed and copied to the Office on 08/19/2003 can and should now be reviewed by the examiners as supporting a finding of utility of the claims, as argued in detail in the Amendment of 08/19/2003.


CONCLUSION

The applicants, having established, using the Patent Office's own rules, that the present invention would be considered by those of ordinary skill in this art as having a credible, specific and substantial utility, respectfully request withdrawal of all §§ 101 and 101/112 rejections, and the passage of this application to allowance and issue.

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Law Offices of Dr. Melvin Blecher
4329 Van Ness St., NW
Washington, DC 20016-5625
Tel. 202 363 3338
Fax 202 362 8404

Respectfully submitted,

A handwritten signature in cursive script that reads "Melvin Blecher".

Dr. Melvin Blecher
Attorney-at-Law
Reg. No. 33,649